

REMARKS

This is responsive to the Office Action dated May 4, 2005 in which the Examiner rejects all the pending claims as being obvious over combinations of Voit et al. (US Patent No. 6,295,292, Neyman (US Patent No. 6,215,783), Dunlap (US Publication No. 2002/0114439), Mizuta et al. (US Patent No. 6,584,110), Girard (US Publication No. 2003/0095542), Gordon et al. (US Patent No. 4,905,273), Smith (US Publication No. 2003/0123632) and Galvin (US Patent No. 6,134,315) and under 35 USC §103(a). Applicants respectfully traverse the rejections, as explained in detail below.

In particular, Applicants respectfully disagree with the assertion of the Examiner that Voit et al. (US Patent No. 6,295,292) discloses to select an originating gateway from plural originating gateways each being capable of conveying the call to the data network, as required in all independent claims 1, 7, 10, 12, 19 and 25. Contrary to the assertion of the Examiner, Applicants cannot find anywhere in Voit a teaching of the above-underlined feature. Applicants respectfully submit that the two ITGs 210 and 624 in Fig. 18 in Voit cited by the Examiner to support his assertion are terminating gateways (which are connected to destination nodes or routers R-1 and R-12 respectively), but not originating gateways associated with Company A, as clearly described in col. 25, lines 24-26 in Voit. Moreover, even though Voit discloses in col. 41, lines 48-50 that the ITG 213 or ITG 414 “constitutes the originating gateway or ITG which the retailer either owns or designates as its selected originating ITG”, there is no teaching in Voit whether the selection is made from plural originating gateways each being capable of conveying the specific call to the date network. In addition, no teaching can be found in Voit that the originating gateway ITG 213 or ITG 414 is the same as the gateways ITGs 210 and 624 in Fig.

18. Therefore, Applicants respectfully submit that the above-underlined distinguishing feature is not taught by Voit.

This discrepancy cannot be overcome by any other prior art cited by the Examiner, since none of the other cited prior art disclose to select an originating gateway from plural originating gateways each being capable of conveying the call to the data network, too. Therefore, Applicants respectfully submit that all independent claims 1, 7, 10, 12, 19 and 25 are patentable at least because of this distinguishing feature. At least for the same reasons, all dependent claims are also believed patentable, as each of them inherits this distinguishing feature from one of the independent claims.

In particular, dependent claims 37, 40, 43, 46, 49 and 52 further define a feature that the caller is authenticated if the call is determined, by examining the called number, to be routed to the packet data network. Applicants respectfully disagree with the assertion of the Examiner that Voit discloses this feature. In Voit, a caller dials an 800 number to establish a connection with the originating gateway (the 800 number is translated to a real number or DN associated with the originating gateway), and then the caller is authenticated (e.g., by ANI) and is able to enter the telephone number of the called party (see, col. 41, lines 48-62). Thus, there is no need of a step of determining whether the call shall be routed to the originating gateway by examining the telephone number (i.e., the 800 number), since the call dialing the 800 number is always routed to the originating gateway. Therefore, it cannot be found in Voit a teaching that the authentication of the caller happens after such a determining step that is absent in Voit. Thus, the patentability of these dependent claims is further strengthened.

By the way, Applicants respectfully disagree with the assertion of the Examiner that Newman discloses the features that a router receives a call directly from a device initiating the

call and routes the call to the selected originating gateway after examining the called telephone number. First of all, Applicants respectfully submit that the router (SCP 47), which receives the call 45, always routes the call 45 to the IP network 27 through an egress node 21. Therefore, there is no need to examine the called number to determine whether the call 45 shall be routed to the IP network 27 or to a PSTN network. Moreover, the node 25, which receives the call 45 transmitted over the IP network 27, is NOT a router that receives a call directly from a device initiating the call 45 as asserted by the Examiner.

Applicants therefore respectfully request reconsideration and allowance in view of the above remarks and amendments. A request for two-month extension is enclosed, with a check of \$450.00 for covering the extension fee. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN GILMAN GIBSON & DERNIER LLP
900 Route 9 North, Suite 504
Woodbridge, New Jersey 07095
Telephone (732) 684-7634

Dated: September 9, 2005

Jeffrey W. Kaplan
(Reg. No. 34,356)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 9, 2005.

Dated September 9, 2005 Signed *Paula M. Halsey* Print Name Paula M. Halsey